

REMARKS/ARGUMENTS:

Claims 1-30 are currently pending in the application. No claims stand allowed. Claims 1, 8, and 22 have been amended. New claims 23-30 have been added. No new matter has been added. Support for the amendments may be found in the specification as filed at, for example, page 21, lines 11-13 and page 23, line 16 through page 24, line 3 (corresponding to paragraphs [0052] and [0057], respectively, of the published application).

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations herein are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Rejections under 35 U.S.C. § 103

Claims 1, 3, 5-9, 12-17, and 20-22 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over disclosed admitted prior art in view of Wain (4,335,809). These rejections are respectfully traversed.

The cited references, considered alone or in combination, do not describe or suggest the features of claim 1. Claim 1 has been amended to recite the features of:

a processor designed or configured to . . . 2) download different paytables to different gaming terminals at specific times of day . . .

Applicant respectfully submits that disclosed admitted prior art, which Applicant understands refers to the Background section of Applicant's specification, does not describe or suggest downloading different paytables to different gaming terminals at specific times of day.

Wain does not disclose or suggest downloading different paytables to different gaming terminals at specific times of day. Instead, Wain teaches an entertainment machine connected via a communication link to a remote control device, wherein control signals are fed from a

control device to the machine to change or modify information stored in Random Access Memory (RAM) and hence the game.

The gaming terminal of claim 1, on the other hand, includes a processor designed or configured to download different paytables to different gaming terminals at specific times of day. The features of downloading different paytables at specific times of day to different gaming terminals beneficially enables gaming terminal operators to encourage game play during off-peak hours and to attempt to increase profits during peak hours. For instance, during off-peak playing times, a larger jackpot can be made available on certain gaming terminals to attract additional game play, wherein the larger jackpot is not available during peak game playing times. A payable having lower odds may be downloaded to a gaming terminal during peak times to attempt to increase profitability during peak times. As another example, a promotion payable that corresponds to a particular set of prizes available during promotional periods can be downloaded at random times during the day to add excitement to game play on one or more gaming terminals.

Because Wain fails to disclose or suggest the above-quoted features of claim 1, Wain does not support the obviousness rejection of claim 1. Therefore, the cited references, considered alone or in combination, fail to disclose or suggest the features of claim 1, and Applicant respectfully requests that this rejection be withdrawn.

Claim 22 has been amended similarly to claim 1, and Applicant respectfully submits that claim 22 is patentable over the cited references for at least reasons similar to those given above for claim 1.

Claims 23 and 24 depend from independent claim 22. When the recitations of claims 23 and 24 are considered in combination with the recitations of claim 22, Applicants respectfully submit that claims 23 and 24 are also patentable over the cited references.

Claims 2-21 and 25-30 depend from independent claim 1. When the recitations of claims 2-21 and 25-30 are considered in combination with the recitations of claim 1, Applicants respectfully submit that claims 2-21 and 25-30 are also patentable over the cited references.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

The Commissioner is hereby authorized to charge any additional fees, including any extension fees, which may be required or credit any overpayment directly to the account of the undersigned, No. 50-4480 (Order No. IGT1P042C1).

Respectfully submitted,
Weaver Austin Villeneuve and Sampson LLP

/Ernest L. Ellenberger/
Ernest L. Ellenberger
Reg. No.: 56,529

P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100